

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

MATTHEW RICE-JOHNSON,

Plaintiff,

v.

KILOLO KIJAKAZI
Acting Commissioner of
Social Security,

Defendant.

Case No. CIV-22-1072-SM

ORDER

Plaintiff, through counsel, filed a Complaint seeking reversal of the Social Security Administration's decision to deny benefits [Doc. No. 1] and a motion for leave to proceed in forma pauperis. [Doc. No. 2]. The matter was assigned to United States Magistrate Judge Suzanne Mitchell pursuant to General Order 16-4. Judge Mitchell ordered Plaintiff to cure deficiencies in his motion for leave to proceed in forma pauperis no later than January 5, 2023. [Doc. No. 3]. Plaintiff failed to do so, and Judge Mitchell has submitted a Report and Recommendation recommending the action be dismissed without prejudice. [Doc. No. 4]. Plaintiff did not object by the February 1, 2023 deadline and has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). Because Plaintiff has failed to comply with the Court's orders, the Court ADOPTS the Report and Recommendation [Doc. No. 4], DENIES Plaintiff's application to proceed in forma pauperis [Doc. No. 2], and DISMISSES Plaintiff's Complaint [Doc. No. 1] without prejudice.

IT IS SO ORDERED this 3rd day of February, 2023.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE